

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

Aug-13-03 18:17

From-LAHIVE & COCKFIELD, LLP

6177424214

T-041 P.02/04 F-877

**LAHIVE  
&  
COCKFIELD**  
L L P

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahive.com

JOHN A. LAHIVE, JR. (1925-1987)  
THOMAS V. SMURZYSKI  
RALPH A. LOREN  
GIULIO A. DECONTI, JR.  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REBILLARD  
DEANN FORAN SMITH  
DEBRA J. MILASNYC, Ph.D.  
DAVID J. RICKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER  
MEGAN E. WILLIAMS, Ph.D.

LESA M. DIROCCO  
MATHAWAY P. RUSSELL  
MARIA LACOSTRE ZACHARAKIS, Ph.D.  
MEREDITH C. ARNOLD  
DANIELLE L. HERRITT  
EUSTOON LEE

SENIOR COUNSEL  
JAMES S. COCKFIELD

OF COUNSEL  
JEREMAH LYNCH  
WILLIAM A. COCKFIELD, JR.  
SIBILEY P. REPPERT  
JEANNE M. DI GIORGIO  
CYNTHIA L. KANIK, Ph.D.  
JOHN D. LANGZA

PATENT AGENTS  
THEODORE R. WEST  
CYNTHIA M. SOROGOS  
PETER W. DIN, Ph.D.  
JONATHAN M. SPARKS, Ph.D.

TECHNICAL SPECIALISTS  
CATHERINE M. BISHOP  
JACOB G. WENTRALB  
CRISTIN E. HOWLEY, Ph.D.  
JILL ANN MOLLO, Ph.D.  
DEBORAH L. MAGUE, Ph.D.  
ANNE JACQUELINE NOWAK, Ph.D.  
ANDRINA WILLIAMS-Zink

\* Admitted in TX only  
\*\* Admitted in CT only

August 13, 2003

**VIA FACSIMILE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**OFFICIAL**

Re: U.S. Patent Application Serial No. 09/484,331  
For: Compositions and Methods for Non-Targeted  
Activation of Endogenous Genes  
Inventor: John J. Harrington, *et al.*  
Filed: January 18, 2000  
Examiner: Ram R. Shukla Art Unit: 1632  
Attorney Docket No.: ATX-007CP4DV12 (Formerly 5817-7L)

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Revocation of Power of Attorney (2 pages).

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this correspondence is being facsimile transmitted to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
Date:	<u>August 13, 2003</u>
	<u>Cynthia L. Kanik</u>
Cynthia L. Kanik, Ph.D., Reg. No., 37,320	

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Cynthia L. Kanik  
Cynthia L. Kanik, Ph.D.  
Reg. No. 37,320

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re the application of: John J. Harrington, *et al.*

Serial No.: 09/484,331

Filed: January 18, 2000

For: COMPOSITIONS AND METHODS FOR NON-TARGETED ACTIVATION OF ENDOGENOUS GENES

Attorney Docket No.: ATX-007CP4DV12  
(formerly 5817-7L)

Group Art Unit: 1632

Examiner: Ram R. Shukla

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 222313-1450**Certificate of Facsimile Transmittal**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark office, Facsimile No. on the date shown below 703-308-4242 on the date set forth below.

August 13, 2003  
Date of Signature and of Mail Deposit

By

Cynthia Kanik  
Cynthia Kanik, Ph.D.  
Reg. No. 37,320  
Attorney for Applicants**REVOCATION OF PRIOR POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW POWER OF ATTORNEY**

Dear Sir:

Athersys, Inc., the Assignee of the entire right, title and interest in the above-identified application by virtue of the Assignment document recorded in the U.S. Patent and Trademark Office for U.S. Serial No. 09/276,820 on 2 July 1999 (reel 010064, frame 0420) hereby revokes all Powers of Attorney with respect to that application heretofore granted and appoints the below listed attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office connected therewith.

USSN: 09/484,331

Attorney Docket No.: ATX-007CP4DV12

Page -2-

James E. Cockfield	Reg. No. 19,162	Manu C. Lacompe Zacharakis	Limited Recognition
Thomas V. Smurzynski	Reg. No. 24,798		Under 37 C.F.R. § 10.9(b)
Ralph A. Loren	Reg. No. 29,325	Debra J. Milasincic	Reg. No. 46,931
Giulio A. DeConti, Jr	Reg. No. 31,503	David R. Burns	Reg. No. 46,590
Elizabeth A. Hanley	Reg. No. 33,505	Sean D. Derweiler	Reg. No. 42,482
Amy E. Mandragouras	Reg. No. 36,207	Cynthia L. Kanik	Reg. No. 37,320
Anthony A. Laurentano	Reg. No. 38,220	Theodore R. West	Reg. No. 47,202
Kevin J. Canning	Reg. No. 35,470	Hathaway P. Russell	Reg. No. 46,488
Jane E. Remillard	Reg. No. 38,872	John S. Curran	Reg. No. 50,445
DeAnn F. Smith	Reg. No. 36,683	Lisa M. DiRocco	Reg. No. 51,619
Peter C. Lauro	Reg. No. 32,360	Danielle L. Herrin	Reg. No. 43,670
Jeanne M. DiGiorgio	Reg. No. 41,710	Merideth C. Arnold	Reg. No. 52,568
Megan E. Williams	Reg. No. 43,270	Peter W. Dini	Reg. No. 52,821
Jeremiah Lynch	Reg. No. 17,425	Cynthia M. Soroos	Reg. No. 53,623
David J. Rikers	Reg. No. 43,882	Jonathan M. Sparks	Reg. No. 53,624

of LAHIVE & COCKFIELD, LLP, 28 State Street, Boston, Massachusetts 02109, United States of America, and

and to:

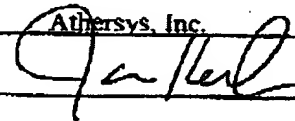
Anne Brown Reg. No. 36,463

of: Athersys, Inc., 3201 Carnegie Avenue, Cleveland, OH 44115,  
United States of America

Please send all correspondence relating to the above patent application to:

Cynthia L. Kanik, Ph.D.  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
(617) 227-7400

**OFFICIAL**

For: Athersys, Inc.  
By:   
Typed Name: James J. Kovach  
Title: Executive Vice President and COO  
Dated: 8/14/03